

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
In re Application of  
BERNARDUS H.W. HENDRIKS ET AL

Atty. Docket  
NL000659

#6 / P. Hendriks  
5-20-02  
R. Hendriks

Filed: CONCURRENTLY

Title: OPTICAL SCANNING DEVICE

Commissioner for Patents, Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please amend the above-identified application as follows:

IN THE CLAIMS

Please amend the Claims to be in the form as follows. A marked up copy of the claims is included in an appendix following this amendment for the Examiners convenience.

4. An optical scanning device according to claim 1, wherein the rms wavefront error caused by the comatic aberration generated by the objective lens at a maximum required field angle with respect to the axial direction, as compensated by the non-periodic phase structure, is less than 40nm.

6. An optical scanning device according to claim 1, wherein said non-periodic phase structure includes a plurality of annular zones, each of said zones comprising a step of a substantially